

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BINDHU LANG,

Petitioner,

v.

CALIFORNIA DEPARTMENT
OF CORRECTIONS AND
REHABILITATION,

Respondents

No. C 09-3997 JSW (PR)

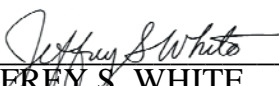
**ORDER DISMISSING PETITION AS
FILED IN ERROR; NO FILING FEE
IS DUE**

Petitioner, a prisoner of the State of California currently incarcerated at Pleasant Valley State Prison in Coalinga, California, filed a request for information on the statute of limitations which the Clerk construed as a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has not paid the filing fee or filed a motion to proceed *in forma pauperis*. However, because Petitioner has promptly informed the Court that he did not intend to file a habeas corpus petition, no fee is due on this matter.

Because Petitioner did not intend to file a petition, this matter is now DISMISSED as filed in error. Petitioner is advised that the Court cannot provide legal advice regarding the statute of limitations in a future habeas action. The Clerk shall enter judgment in this matter and close the file.

IT IS SO ORDERED.

DATED: October 30, 2009


JEFFREY S. WHITE
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA
4

5 BINDHU LANG,

6 Plaintiff,

7 v.

8 CALIFORNIA DEPT. OF CORRECTIONS
9 AND REHABILITATION, et al,

10 Defendant.
11 _____/

Case Number: CV09-03997 JSW


CERTIFICATE OF SERVICE

12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S.
13 District Court, Northern District of California.

14 That on October 30, 2009, I SERVED a true and correct copy(ies) of the attached, by
15 placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter
16 listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an
17 inter-office delivery receptacle located in the Clerk's office.

18 Bindhu Lang
19 P.V.S.P.
20 P.O. Box 8501
21 F11367
22 Coalinga, CA 93210

23 Dated: October 30, 2009


24 Richard W. Wieking, Clerk
25 By: Jennifer Ottolini, Deputy Clerk
26
27
28